



## UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
09/348,518	07/07/99	MURAKAMI	H 31050.50801

PM51/0417  
JEFFER, MANGELS, BUTLER & MARMARO LLP  
2121 AVENUE OF THE STARS  
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LOS ANGELES CA 90067-3395

EXAMINER	
BROADHEAD, B	
ART UNIT	PAPER NUMBER

3661

DATE MAILED: 04/17/01

## Notice of Non-Compliant Amendment (37 CFR 1.121)

The amendment filed on 04/10/01 is considered non-compliant because it has not been submitted in the format required under 37 CFR 1.121, as amended on September 8, 2000 (see 65 Fed. Reg. 54603, Sept. 8, 2000, and 1238 O.G. 77, Sept. 19, 2000).

- ☐ 1. The amendment does not include a clean version of the replacement paragraph(s)/section(s). 37 CFR 1.121(b)(1)(ii).
- ☐ 2. The amendment does not include a marked-up version of the replacement paragraph(s)/section(s). 37 CFR 1.121(b)(1)(iii).
- ☒ 3. The amendment does not include a clean version of the amended claim(s). 37 CFR 1.121(c)(1)(i).
- ☐ 4. The amendment does not include a marked-up version of the amended claim(s). 37 CFR 1.121(c)(1)(ii).
- ☐ 5. Other \_\_\_\_\_

☐ **PRELIMINARY AMENDMENT:** Unless applicant re-submits the preliminary amendment in compliance with revised 37 CFR 1.121 within ONE MONTH of the mail date of this letter, examination on the merits may commence without entry of the originally proposed preliminary amendment. This notice is not an action under 35 U.S.C. 132, and this ONE MONTH time limit is not extendable.

☒ **AMENDMENT AFTER NON-FINAL ACTION:** Since the above mentioned reply appears to be *bona fide*, applicant is given a TIME PERIOD of ONE (1) MONTH or THIRTY (30) DAYS from the mailing date of this notice, whichever is longer, within which to supply the omission or correction in order to avoid abandonment. EXTENSIONS OF THIS TIME PERIOD MAY BE GRANTED UNDER 37 CFR 1.136(a).

For your convenience, attached to this correspondence is a copy of an informational flyer (MPEP Bookmark Bulletin on "Simplified Amendment Practice").

  
Legal Instruments Examiner

# **SUMMARY OF § 1.121 AMENDMENT CHANGES**

- All amendments filed March 1, 2001 (or later) must comply with revised 37 CFR 1.121

## **RULE 1.121 REQUIREMENTS:**

- Changes to specification/claims must be made by replacement of entire paragraphs/sections/claims
- Applicants must provide (a) a clean version of an amended paragraph or section or claim and (b) a marked-up version of the same paragraph or section or claim showing changes
- Clear instructions must be provided for the location of the amendment entry (e.g., paragraph number, page/line number)
- Deletion/Addition of paragraph/claim only requires an instruction to delete/add - no marked-up version required for deleted/added items

## **ENTRY GUIDELINES:**

- ENTER ONLY THE CLEAN VERSION (wherever it is) as an insert
- NO ENTRY OF SINGLE WORDS OR PARTIAL PARAGRAPHS OR CLAIMS
- Section heading may be entered (e.g. "SUMMARY OF INVENTION") as an insert
- DO NOT ENTER REPLACEMENT PAGES
- Examiner's Amendments may continue to use old practice of instructing entry of several words
- Portions of faxes or printed e-mails having full or partial replacement paragraphs/claims may be attached to an Examiner's Amendment

## **TREATMENT OF NON-COMPLIANT AMENDMENTS:**

- If non-compliant (e.g., either the clean version or the marked-up version is missing), LIE should send a form letter notifying applicant that amendment is non-compliant (attach informational flyer)
- See SPE/Exr. If amendment entry is questionable
- If amendment is not entered and letter noting the informality is mailed, use PALM 1632 (+MRD) to re-start response period